

## **FALCONRY LICENSE LAWS**

### **IC 14-22-23**

Chapter 23. Falconry License

#### **IC 14-22-23-1**

##### **License requirement**

Sec. 1. A person may not practice falconry in Indiana without a license issued by the department.  
*As added by P.L.1-1995, SEC.15.*

#### **IC 14-22-23-2**

##### **Issuance**

Sec. 2. The department may issue a falconry license to a person who:

- (1) possesses; or
- (2) has applied for;

a valid federal falconry license.  
*As added by P.L.1-1995, SEC.15.*

#### **IC 14-22-23-3**

##### **Fee**

Sec. 3. The fee for a falconry license is sixty dollars (\$60).  
*As added by P.L.1-1995, SEC.15.*

#### **IC 14-22-23-4**

##### **Expiration**

Sec. 4. A falconry license issued under this chapter expires on the last day of February of the third year following the year in which the license is issued.  
*As added by P.L.1-1995, SEC.15.*

#### **IC 14-22-23-5**

##### **Possession of hunting license and stamp also required**

Sec. 5. To take wildlife in the practice of falconry, a person must:

- (1) hold a license issued under this chapter;
- (2) have in the person's possession the type of hunting license required under this article for the taking of the wildlife; and
- (3) have in the person's possession the stamp required by IC 14-22-7 or IC 14-22-8 for the taking of the wildlife if a stamp is required.

*As added by P.L.1-1995, SEC.15.*

### **312 IAC 9-10-13 Falconry licenses**

Authority: IC 14-11-2-1; IC 14-22-2-6; IC 14-22-23

Affected: IC 14-22

Sec. 13. (a) A person must not take, possess, transport, barter, sell, or purchase a raptor for falconry purposes or to practice falconry except as provided under this section.

(b) A license under this section expires the last day of February of the third year following the year in which the license is issued.

(c) An application to practice falconry must be completed upon a departmental form. Before a license may be issued, the applicant must do each of the following:

- (1) Correctly answer at least eighty percent (80%) of the questions on a supervised examination covering basic biology, care, and handling of raptors and laws relating to the practice of falconry.

- (2) Establish that the applicant has also completed an application for a federal falconry permit.
- (3) Meet any other requirements contained in this article.
- (d) A license to practice falconry is subject to the following conditions:
  - (1) No species of raptor may be taken in Indiana which is classified as threatened or endangered under:
    - (A) 50 CFR 17.11 (October 1, 1995); or
    - (B) 312 IAC 9-4-14.
  - (2) A golden eagle (*Aquila chrysaetos*) may not be used unless prior written authorization is obtained from the U.S. Fish and Wildlife Service.
  - (3) By July 31 of each year, the license holder must complete on a departmental form and submit to the division a report which includes the following information:
    - (A) A list of raptors possessed by the falconer on June 30 of the year in which the report is filed by species, marker number, sex (if known), age (if known), and the date and where or from whom acquired.
    - (B) A list of all raptors possessed or acquired since the previous annual report, but no longer possessed, by:
      - (i) species;
      - (ii) marker number;
      - (iii) sex (if known);
      - (iv) age (if known); and
      - (v) the date and where or from whom acquired.

The list shall also indicate to whom the raptor was given or whether the raptor escaped, died, or was released and when the event occurred.
  - (4) A raptor may not be acquired, released, or disposed of unless federal Form 3-186A (Migratory Bird Acquisition/Disposition Report) is completed and a copy sent to the department within five (5) days of the transaction. Only a legally possessed raptor which was bred in captivity may be purchased, sold, or bartered.
- (e) Before a license is issued, the raptor housing facilities and equipment of the applicant shall be inspected by the division or by a conservation officer and found to meet the following standards:
  - (1) Facilities shall consist of indoor facilities (mews) or outdoor facilities (weathering area) sufficient to protect the raptors from exposure, predators, or other undue disturbance, including the following:
    - (A) Mews shall be large enough to allow easy access to care for the raptors. If more than one (1) raptor is to be housed, the raptors shall be tethered or separated by partitions. The area for each bird shall be large enough to allow a full extension of its wings. There shall be at least one (1) window, protected on the inside by vertical bars which are spaced more narrowly than the width of the bird's body, and a secure door that can be easily closed. The floor of the mews shall allow easy cleaning and shall be well drained. Adequate perches shall be provided.
    - (B) The weathering area shall be fenced and covered with netting and wire or roofed to protect the birds from disturbances and attack by predators. The enclosed area shall be large enough to ensure the birds cannot strike the fence if flying from the perch. Protection from excessive sun, wind, and inclement weather shall be provided for each bird. Adequate perches shall be provided.
  - (2) Equipment shall include the following:
    - (A) A pair of Alymeri jesses or a similar pliable, high quality leather or suitable synthetic material to be used when a raptor is flown free. A traditional one (1) piece jesses may be used on a raptor when not being flown.
    - (B) A flexible, weather-resistant leash and a strong swivel of acceptable falconry design.
    - (C) A suitable container, two (2) to six (6) inches deep and wider than the length of the raptor, for drinking and bathing by each raptor.
    - (D) A weathering area perch of an acceptable design for each raptor.
    - (E) A reliable scale or balance for weighing a raptor held and graduated to increments of not more than one-half (½) ounce (fifteen (15) grams).
  - (3) The department may at any reasonable time inspect the records, facilities, and equipment of a

person issued a license under this section.

(f) A person licensed under this section must maintain all facilities and equipment at or above the standards established under subsection (e).

(g) A raptor may be transported or held in a temporary facility for not more than thirty (30) days. The temporary facility must be provided with an adequate perch and shall protect the raptor from extreme temperatures and excessive disturbances.

(h) A numbered, nonreusable marker must be obtained from the department before a person acquires a raptor. The marker must be attached to the raptor immediately upon acquisition. The alteration, counterfeiting, or defacing of a marker is prohibited. A falconer may remove the rear tab on a marker and smooth any imperfect surface, if the integrity of the marker and the numbering are not affected. The loss or removal of a band must be reported to the U.S. Fish and Wildlife Service on federal Form 3-186A and a copy of the form sent to the department within five (5) days of the loss or removal.

(i) There are three (3) classes of falconry licenses:

- (1) apprentice;
- (2) general; and
- (3) master.

Particular requirements are applicable to each of the classes of licenses which are supplemental to the general requirements provided under this section.

(j) The particular requirements applicable to an apprentice class falconry license are as follows:

- (1) The applicant must be at least fourteen (14) years of age.
- (2) An individual who holds a general, master, or equivalent class falconry license must agree to sponsor the apprentice. An individual may not sponsor more than three (3) apprentices at a time.
- (3) The license holder shall not possess more than one (1) raptor and shall not obtain more than one (1) raptor for a replacement during any twelve (12) month period.
- (4) The apprentice shall possess only an American kestrel (*Falco sparverius*) or a red-tailed hawk (*Buteo jamaicensis*).

(k) The particular requirements applicable to a general class falconry license are as follows:

- (1) An applicant must be at least eighteen (18) years of age.
- (2) An applicant must have at least two (2) years of experience in the practice of falconry at the apprentice level or its equivalent. Only those years in which the applicant possessed a raptor and used the bird for falconry purposes constitute experience.
- (3) The license holder shall not possess more than two (2) raptors and shall not obtain more than one (1) raptor for a replacement during any twelve (12) month period.
- (4) The license holder may not take, transport, or possess a golden eagle or any species listed as endangered or threatened by the U.S. Fish and Wildlife Service or under 312 IAC 9-4-14.

(l) The particular requirements applicable to a master class falconry license are as follows:

- (1) An applicant must have at least five (5) years of experience in the practice of falconry at the general class level or its equivalent. Only those years in which an applicant possessed a raptor and used the bird for falconry practices constitute experience.
- (2) A license holder shall not possess more than three (3) raptors and shall not obtain more than two (2) raptors for replacement birds during any twelve (12) month period.
- (3) Notwithstanding subsection (d)(1), a license holder may possess not more than one (1) raptor which is classified as endangered or threatened as part of the three (3) raptor limitations provided in subdivision (2).

(m) The following restrictions apply to taking a raptor from the wild for use in falconry:

- (1) A nonresident can lawfully take a raptor in Indiana only if:
  - (A) the nonresident has a master class falconry license or a general class falconry license issued from the state of residence; or
  - (B) the state which issued the license described in clause (A) allows a resident of Indiana, who has a master class falconry license or a general class falconry license, to take a raptor in that state.
- (2) Young birds not yet capable of flight (eyasses) may only be taken by a general or master falconer

- Friday through Monday beginning with the first Friday in May and continuing for a total of eleven (11) consecutive taking periods, provided that at least one (1) eyas remains in the nest. No more than one (1) eyas may be taken by a general falconer and no more than two (2) eyasses may be taken by a master falconer.
- (3) First year (passage) birds may be taken only from September 18 through January 31 of the following year.
- (4) Notwithstanding subdivisions (2) through (3), a marked raptor can be retrapped.
- (5) Only an American kestrel or a great horned owl (*Bubo virginianus*) may be taken if more than one (1) year of age.
- (6) Notwithstanding the restrictions contained in this subsection, any raptor other than a species classified as endangered or threatened, taken under a depredation or other special purpose permit, may be used for falconry by a general or a master falconer.
- (n) A license holder shall obtain prior written approval from the department before a raptor species not indigenous to Indiana is intentionally released to the wild. Before a raptor is released, the marker provided under subsection (h) shall be removed and surrendered to the department. A standard federal bird band shall be obtained from the department or a person licensed as a bird bander by the U.S. Fish and Wildlife Service and attached to the bird before release.
- (o) Another person may care for the birds of a falconry license holder for not more than thirty (30) days, if a written authorization from the permit holder accompanies the birds, the person is otherwise authorized to possess a raptor, and the raptor is accompanied by a properly completed federal Form 3-186A. If the transfer exceeds thirty (30) days, prior written approval must also be secured from the department. A temporary transfer under this subsection will not be approved by the department for more than ninety (90) days.
- (p) Feathers that are molted or from birds held in captivity which die may be retained or exchanged by a falconer only for imping purposes.
- (q) A person, other than a falconer issued a license under this section, must not hunt or possess a wild animal taken with the aid of a raptor.
- (r) The bag limits and seasons for taking wild animals by the use of a raptor are as follows:
- (1) The season for hunting and possessing:
    - (A) rabbits, quail, and pheasants is from September 1 through February 28 of the following year; and
    - (B) squirrels is from August 15 through February 15.
  - (2) The daily bag limit per raptor is two (2) rabbits, one (1) quail, one (1) squirrel, and one (1) pheasant, except during the seasons for these wild animals established under 312 IAC 9-3 and 312 IAC 9-4, when the daily bag limits established under those provisions apply.
  - (3) The season and bag limits for taking waterfowl and migratory birds are those set forth in 312 IAC 9-4.
  - (4) A falconer whose raptor kills an animal that is not in season or is in excess of a bag limit must leave the dead animal where killed, but the raptor may feed upon the dead animal before leaving the site.
- (s) A raptor possessed under this section may not be used for display or educational purposes except according to a permit issued under section 9(f) of this rule.
- (t) A falconry license holder may not propagate raptors without a permit issued by the U.S. Fish and Wildlife Service with a copy of the permit and federal reports provided to the department. Written permission must be obtained from the department before a raptor bred in captivity is released in Indiana. No interspecific hybrid shall be intentionally released.
- (u) A person may possess a raptor which was lawfully acquired before July 23, 1992, even though not in conformance with a requirement of this section, if the raptor is properly identified with a marker supplied by the U.S. Fish and Wildlife Service. (*Natural Resources Commission; 312 IAC 9-10-13; filed May 12, 1997, 10:00 a.m.: 20 IR 2732*)